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AGRICULTURAL ADJUSTMENT ADMINISTRATION

ORDER OF PROCEDURE

FOR A HEARING ON A PROPOSED MARKETING AGREEMENT FOR THE

COTTON GINNING INDUSTRY

CALLED FOR SEPTEMBER 11, 1933, at 9:30 A. M. in the

PEABODY HOTEL, MEMPHIS, TENNESSEE

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1. This is a hearing to be held under Title 1, Section 8 (2) of the Agricultural Adjustment Act. Section 8 (2) reads:

"Sec. 8. In order to effectuate the declared policy, the Secretary shall have power

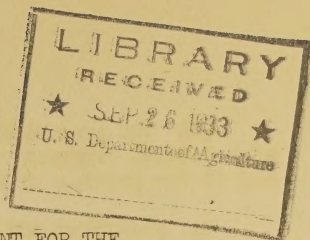
(2) To enter into marketing agreements with processors, associations of producers and others engaged in the handling, in the current of interstate or foreign commerce of any agricultural commodity or product thereof, after due notice and opportunity for hearing to interested parties. The making of any such agreement shall not be held to be in violation of any of the antitrust laws of the United States, and any such agreement shall be deemed to be lawful: PROVIDED, that no such agreement shall remain in force after the termination of this Act. For the purpose of carrying out any such agreement the parties thereto shall be eligible for loans from the Reconstruction Finance Corporation under Section 5 of the Reconstruction Finance Corporation Act. Such loans shall not be in excess of such amounts as may be authorized by the agreements."

No approval has been given to the proposed agreement by the Agricultural Adjustment Administration and the meeting is conducted solely for the purpose of giving all parties an opportunity to be heard with reference to the proposed agreement.

(b) The presiding officer shall make a general statement which shall include:

(i) The statutory provisions involved.

(ii) The reading of the notice of hearing.



(c) The presiding officer shall read or cause to be read the proposed agreement without argument or comment, provided, however, that such reading may be omitted if the parties at the hearing so desire.

### 3. Testimony and Evidence

#### A. General

(1) Witnesses may be required to give their testimony under oath or affirmation.

(2) Experts from the Department of Agriculture are assigned to the hearing and may ask of any witness questions which are relative to the testimony given and/or the evidence presented.

Any other questions asked from the floor, by or on behalf of any interested person, must be put to the Presiding Officer, who shall determine whether or not those questions are proper ones to be put to the witness; if he so determines, the Presiding Officer will put the question to the witness. If he determines otherwise, the questions will not be put to the witness.

(3) The control of the manner of presentation of questions, testimony and evidence at the hearing shall rest entirely with the Presiding Officer, who may waive any of the provisions herein set forth not otherwise required by statute or regulation.

(4) The Presiding Officer, if he determines it advisable or necessary, may limit the time to be devoted to this hearing or to any question or questions to be considered, or the time which will be allowed to any witness.

(5) Since the purpose of this hearing is to provide evidence of facts upon which the Secretary may act under Section 8(2) of Title I of the Agricultural Adjustment Act, it will not be appropriate to present arguments upon issues of law at the hearing. If any interested person desires to raise any question of law in connection with any question considered at the hearing, or presented by virtue of the hearing, he may file a written argument with the Chief Hearing Clerk at the close of the hearing, or within such time thereafter as the Presiding Officer may determine and announce, at the office of the Chief Hearing Clerk, Room 509, Administration Building, Department of Agriculture, Washington, D. C. No less than ten copies of said written argument shall be received by the Chief Hearing Clerk unless the Presiding Officer shall determine and announce that a lesser number may be filed. A copy of any such written arguments shall be on file and open to public inspection at reasonable times.

B. Order

(1) Persons in favor of the proposed marketing agreement will be heard on the question of whether there should be any marketing agreement, and those proposing the marketing agreement shall show that the proposed marketing agreement tends to effectuate the declared policy of the Act as set forth in Section 2 thereof.

(2) Persons who are in opposition to the Secretary's becoming a party to any marketing agreement will then be heard. No testimony will be permitted at this stage of the proceedings as to any specific provisions of the proposed marketing agreement.

(3) Persons in favor of the proposed marketing agreement will then be heard on the question of the advisability of the several provisions of the proposed marketing agreement.

(4) Persons who oppose any or all of the provisions of the marketing agreement or who desire to suggest additions, alterations, or modifications in respect of the proposed marketing agreement will then be heard, and any such suggested additions, alterations, or modifications must be submitted in writing at such time.

(5) Persons in favor of the proposed marketing agreement will then be permitted to discuss any such suggested additions, alterations, or modifications.

(6) After all of the testimony relating to the proposed marketing agreement has been heard, the hearing thereon will be closed.

(7) At the termination of the hearing, or within such time thereafter as the Presiding Officer may determine and announce, interested parties may file with the Chief Hearing Clerk supplementary statements in writing, or written arguments, with respect to questions of law or of fact. No less than ten copies of any such documents shall be received by the Chief Hearing Clerk, unless the Presiding Officer shall determine and announce that a lesser number may be filed. A copy of each document will be on file and open to public inspection at reasonable times.



